

REMARKS

A. Background

Claims 18-33 were pending in the application at the time of the Office Action. Claims 18-22, 28 and 30 were rejected as being anticipated by cited prior art. Claims 23-27, 29 and 31-33 were objected to as being dependent upon a rejected base claim. By this response applicant cancelled claims 18-33 and added new claims 34-61. As such, claims 34-61 are presented for the Examiner's consideration in light of the following remarks.

B. Proposed Claim Amendments

New claims 34-61 have been added by this response. Set forth below is a chart showing the supporting disclosure for each of the new claims.

New Claims	Supporting Disclosure
34	Combination of claims 18 and 26
35	Claim 19
36	Claim 20
37	Claim 30
38	Combination of claims 18 and 27
39	Claim 19
40	Claim 20
41	Claim 30
42	Combinations of claims 18 and 29
43	Claim 19
44	Claim 20
45	Claim 30
46	Combination of claims 18 and 31
47	Claim 21
48	Combination of claims 18 and 32
49	Claim 21
50	Combination of claims 18 and 33
51	Claim 21
52	Specification at page 7, lines 6-10 and 15-19; Figures 1, 2, 3, 6, and 7
53 – 61	Claims 22-30, respectively

In view of the foregoing, applicant submits that the amendments to the claims do not introduce new matter and entry thereof is respectfully requested.

C. Rejection on the Merits

The Office Action rejects claims 18-22, 28, and 30 under 35 USC § 102(b) as being anticipated by U.S. Publication No. 2002/057862 to Okayama. Page 4 of the Office Action states that claims 23-27, 29 and 31-33 are objected to as being dependent upon a rejected base claim but holds that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Because rejected claims 18-22, 28, and 30 have been cancelled herein, applicant submits that those specific rejections are now moot. However, applicant also asserts that new claims 34-61 are allowable over the cited prior art. Specifically, new claims 34, 38, 42, 46, 48, and 50 are the combination of prior pending claims 18 and 26; 18 and 27; 18 and 29; 18 and 31; 18 and 32; and 18 and 33, respectively. As such, applicant submits that new claims 34, 38, 42, 46, 48, and 50 are allowable for at least the same reasons that claims 26, 27, 29, 31, and 32 was considered allowable in the Office Action. Claims 35-37, 39-41, 43-45, 47, 49, and 51 depend from one of claims 34, 38, 42, 46, 48, and 50 and thus are allowable for at least the same reasons as discussed above with regard to claims 34, 38, 42, 46, 48, and 50.

Regarding new claim 52, Figure 20 of the Okayama patent discloses collimators 176, 178 which only communicate via movable reflective arrays 166, 168 to a passive array of optical elements 170. See Okayama patent, paragraphs [0218]-[0222]. As such, the Okayama patent does not disclose or suggest “input and output arrays [that] incorporate moveable collimators

which directly communicate with individual elements of said passive array.” as recited in claim 52.

Furthermore, paragraph [0221] of the Okayama patent teaches having two layers of moveable elements where array 176 incorporates moveable collimators and array 172 incorporates moveable mirrors. In contrast to increasing the number of moveable elements, claim 52 allows for a reduction of moveable elements by having “**collimators which directly communicate with individual elements of said passive array.**” as recited in claim 52. As such, the Okayama patent teaches away from the invention of claim 52.

In addition, instead of increasing the number of moveable components, the invention of claim 52 allows a reduction of moveable components for a given switch capacity. It also allows a reduction in the required displacement of moveable collimators which can therefore be placed in an improved closely packed array. Since the array of moveable elements can be closely packed it also allows further ports to be incorporated for a given area of moveable collimators. The capacity of the switch is therefore increased by incorporating a passive array.

Claims 53-61 depend from claim 52 and thereby incorporate the limitations thereof. As such, applicant submits that claims 53-61 are also distinguished over the cited prior art for at least the same reasons as discussed above with regard to claim 52.

D. Conclusion

Applicant notes that this response does not discuss every reason why the claims of the present application are distinguished over the cited prior art. Most notably, applicant submits that many if not all of the dependent claims are independently distinguishable over the cited prior

art. Applicant has merely submitted those arguments which it considers sufficient to clearly distinguish the claims over the cited prior art.

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 34-61 as amended and presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 6th day of December 2007.

Respectfully submitted,

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